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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,023	04/03/2001	Shigeki Sakurai	1232-4703	3855

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NEW YORK, NY 10281-2101

EXAMINER

SINGH, SATWANT K

ART UNIT PAPER NUMBER

2625

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/825,023

Applicant(s)

SAKURAI, SHIGEKI

Examiner

Satwant K. Singh

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the amendment filed on 13 March 2006.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 6, and 11 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Mehta et al. (US 6,819,750).
5. Regarding Claim 1, Mehta et al disclose an Internet facsimile gateway apparatus that is connected to a general switched telephone network and an IP network and relays facsimile communication between said general switched telephone network and said IP network comprising: first communicating means for performing procedural processing of facsimile transmission in said general switched telephone network (Fig. 1) (circuit switched analog facsimile data received from the sending fax via the PSTN) (col. 3, lines 32-52); second communicating means for performing procedural processing of

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facsimile transmission in said IP network (Fig. 1) (packetized format that may be transmitted via the Internet 14) (col. 3, lines 32-52); and controlling means for controlling a transmission timing of a first signal transmitted from said first communicating means to said general switched telephone network based on a second signal received from said IP network by said second communicating means (connection between the sending fax 10 and receiving fax 12 that is established when the Internet 14 does not introduce significant delay to the various connection establishment messages transmitted between the faxes) (col. 4, lines 7-23), wherein the signal transmission timing from said first communicating means is controlled to transmit the first signal at a predetermined time after the reception of the second signal from said IP network is completed thereby preventing a transmission delay via said IP network from causing a corresponding signaling delay over said general switched telephone network (Internet 14 does not introduce significant delay to the various connection establishment messages transmitted between the faxes) (col. 4, lines 7-23) (complete CM message is not received) (col. 7, lines 4-22).

6. Regarding Claim 2, Mehta et al disclose an Internet facsimile gateway apparatus, wherein said controlling means has a pseudo signal generating means for generating a pseudo signal of a control signal to be used in procedures of facsimile transmission in said general switched telephone network, and, after said second communicating means receives a predetermined signal, transmits said pseudo signal after a predetermined time via said first communicating means (Fig. 4, S404, transmit alias CM to receiving fax) (col. 7, lines 23-34).

7. Regarding Claim 3, Mehta et al disclose an Internet facsimile gateway, wherein after said second communicating means accumulates received signals for a predetermined period of time, said controlling means transmits the accumulated signals via said first communicating means (completed CM message is transmitted to receiving fax) (col. 7, lines 4-22).

8. Regarding Claim 4, Mehta et al disclose an Internet facsimile gateway, wherein said pseudo signal is a signal for establishing synchronism between transmission/reception apparatuses (no significant delay to the various connection establishment messages transmitted between the faxes) (col. 4, lines 7-23).

9. Regarding Claim 5, Mehta et al disclose an Internet facsimile gateway, wherein said predetermined period of time is a length of time determined by procedures for facsimile transmission in said general switched telephone network (facsimile protocols) (col. 3, lines 54-63).

10. Claims 6 and 11 are rejected for the same reason as claim 1.

11. Claim 7 is rejected for the same reason as claim 2.

12. Claim 8 is rejected for the same reason as claim 3.

13. Claim 9 is rejected for the same reason as claim 4.

14. Claim 10 is rejected for the same reason as claim 5.

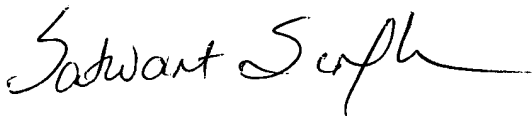
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571)

272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



sks

Satwant K. Singh  
Examiner  
Art Unit 2625



**KIMBERLY WILLIAMS**  
**SUPERVISORY PATENT EXAMINER**